

REMARKS

Reconsideration of this application is respectfully requested. Claim 6 has been canceled and claim 7 has been previously canceled. As such, claims 1-5 are in this application and are presented for the Examiner's consideration in view of the following comments.

At the outset, Applicants respectfully note that section 8, p. 8, of the Official Action, still rejects claim 7. However, Applicants canceled claim 7 in Applicants' previous response.

Claim Rejections -35 USC § 112, paragraph 2.

Claim 6 has been rejected as being unclear because, according to the Examiner, claim 6 is presented in means plus function form and structural details are required. In particular, the Examiner states "that the current claim only includes functional limitations". With respect to claim 6, itself, the Examiner's statement is respectfully wrong under the law for the simple reason that **35 USC § 112, paragraph 6, specifically provides that a claim element may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof.**

However, the Examiner is correct that there must be supporting structure in the specification to support a claim in means plus function format. In this regard, Applicants still believe that there is adequate support in Applicants' specification. However, in the interests of furthering prosecution and narrowing the issues for appeal, Applicants have canceled claim 6. As such, the basis for the rejection under 35 USC § 112, paragraph 2, has been removed.

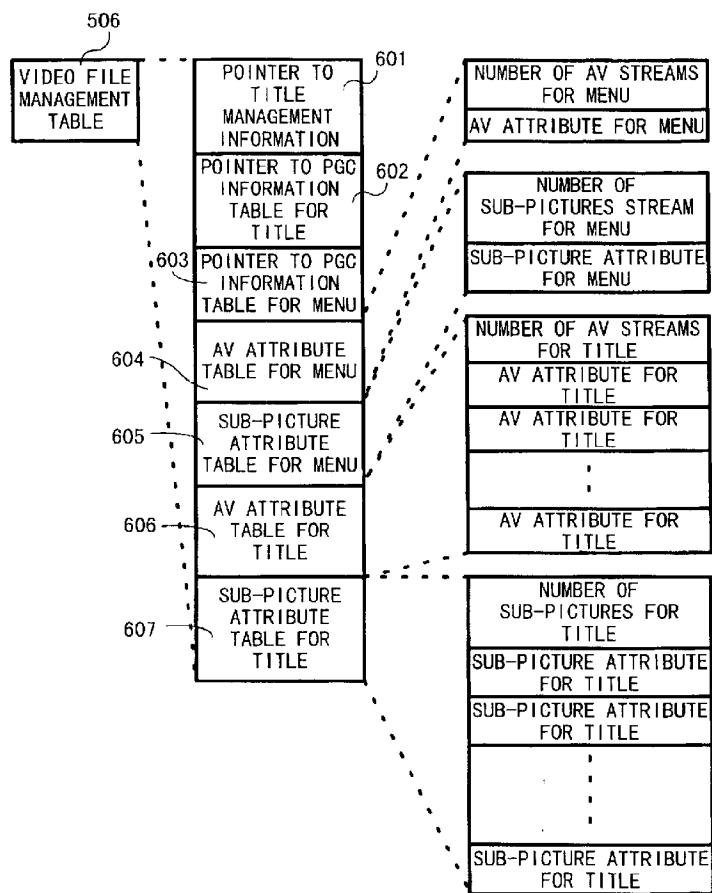
Claim Rejections -35 USC § 103(a).

Claims 1 and 6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,778,759 issued August 17, 2004, to Yamada et al. (*Yamada*), in view of U.S. Patent No. 7,184,450 issued February 27, 2007, to Wolf et al. (*Wolf*), and further in view of U.S. Patent Publication 2004/0261099 published December 23, 2004, to Durden et al. (*Durden*). As noted earlier, Applicants have canceled claim 6 and respectfully still disagree with respect to claim 1.

Applicants incorporate by reference Applicants' arguments in Applicants' response filed on 15th October 2010. In addition, Applicants offer the following additional arguments with respect to each of the references.

With respect to *Yamada*, the Examiner disagreed with Applicants' reasoning that attributes of video or audio stream or of sub-picture stream as described in *Yamada* can not be read as being indicative of a stream path type of the respective stream. In response to Applicants' arguments, the Examiner referred to col. 7, lns. 65-66, of *Yamada*, as stating that the AV attribute table for menu includes a number of the video streams or audio streams to be used in the menu, and an attribute of the video or audio stream. The Examiner then concluded that *Yamada* is clear in showing an AV attribute table which is defined in video and audio stream paths.

However, Applicants' claim limitation at question is indicating a stream path type of various sub stream paths. In this regard, the fact that col. 7, lns. 65-66, of *Yamada* discloses that there are attributes of audio or video streams does not mean that this portion of *Yamada* describes a stream path type as claimed by Applicants. Indeed, FIG. 22 of *Yamada* is shown below.



Col. 7, lns. 65-66, of *Yamada*, describes menu 605 and menu 606, shown above. Nowhere do any of the attributes associated with menu 605 and menu 606 in FIG. 22 of *Yamada* describe, or suggest, that an attribute is a stream path type as claimed by Applicants.

Turning now to *Wolf*, the Examiner further disagreed with Applicants' reasoning that the system taught by *Wolf* is not adapted for operating the DVB mode and the DVD mode in parallel. In response to the Applicants' arguments, the Examiner referred to FIG. 1 of *Wolf* alleging this figure as disclosing network interface data and DVD data both being inserted parallel into the stream demultiplexer.

However, Applicants respectfully note that the fact that there are two parallel lines being applied to demultiplexer 26 of FIG. 1 of *Wolf* is no evidence that decoder 20 of *Wolf* operates the DVB mode and the DVD mode in parallel.

Indeed, there is clear evidence in *Wolf* that *Wolf* does not describe, or suggest, that the DVB mode and the DVD mode operate in parallel. As FIG. 1 of *Wolf* clearly illustrates, decoder 20 has only one video decoder and only one audio decoder. (*Wolf*, col. 2, lns. 34-35 and 64-67.) As such, it does not appear possible in *Wolf* to operate the DVB mode and the DVD mode in parallel with only a single video decoder and a single audio decoder. Further, *Wolf* clearly states:

[d]ecoder 20 uses three data paths in either the DVD or DVB mode of operation, namely a video data path, an audio data path, and a control path.

Wolf, col. 3, lns. 1-3; emphasis added.

Finally, with respect to *Durdan*, the Examiner further disagreed with the Applicants' reasoning that *Durden* fails to indicate the stream path type. In response to Applicants' arguments, the Examiner referred to p. 2, paragraph (0011), of *Durden*, alleging this paragraph as disclosing the system of *Durden* as being capable of defining and handling multiple data stream path types.

However, Applicants respectfully refer to the fact that neither defining nor handling is the same as indicating. Thus, the Examiner's reasoning is deficient for invalidating Applicants' argument.

In view of the above, none of the references taken singly, or in combination, describe, or suggest, the requirements of Applicants' independent claim 1. Withdrawal of the rejection under 35 USC § 103(a) is respectfully requested.

Claims 2 - 5 have been rejected under 35 U.S.C. 103(a) as being unpatentable over *Yamada* in view of *Wolf* in view of *Durden* and further in view of U.S. Patent Publication 2002/0006268 published January 17, 2002, to Chotoku et al. Applicants respectfully disagree for the reasons described above with respect to independent claim 1.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted
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